UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA EVANSVILLE DIVISION

JAMIE BECKER,)
Plaintiff,)
vs.) No. 3:12-cv-00182-TWP-MPB
CITY OF EVANSVILLE and ZACHARY ELFREICH individually and as an Officer of the Evansville Police Department,))))
Defendants.)
)

COURTROOM MINUTES FOR DECEMBER 1, 2016 HONORABLE TANYA WALTON PRATT, DISTRICT JUDGE

This matter was before the Court for the third day of a jury trial on Plaintiff's Complaint. Plaintiff appeared in person and by counsel Jason Michael Spindler, Michael C. Keating and Steven L. Whitehead. Defendants appeared by counsel Keith W. Vonderahe and Robert L. Burkart. Defendant Officer Zachary Elfreich appeared in person. The City of Evansville appeared by party representative, Deputy Chief Brad Hill. The Court Reporter was David Moxley.

Outside the presence of the jury, the Court addressed Counsel for Defendants' oral motion for a judgment as a matter of law under Federal Rule of Civil Procedure 50 as to the Plaintiff's *Monell* claims relating to the use of force policy and the K9 policy against the City of Evansville. For the reasons stated on the record, that motion was **DENIED**.

Defendants continued presentation of their case-in-chief, by reading exhibit 322 into the record. Defendants rested their case-in-chief.

Outside the presence of the jury, final instructions were settled.

Attorney Whitehead and Attorney Keating presented closing statements on behalf of

Plaintiff.

Attorney Burkart presented closing statements on behalf of Defendants.

The Court read final instructions to the jury.

The Bailiffs, Jonathon Penn and Tanesa Genier, were sworn and the jury was placed in

their charge. The jurors were given the exhibits admitted at trial and seven copies of the

preliminary and final instructions. The jury retired for deliberation.

The jury informed the Court it reached a verdict.

All parties were returned to the courtroom.

The Court examined the verdict form, found it to be in proper order and read the verdict in

open court.

The jury was discharged.

Final Judgment will issue by separate entry.

Court was adjourned.

Date: 12/2/2016

TANYA WALTON PRATT, JUDGE

United States District Court Southern District of Indiana

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